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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,593	02/25/2005	Katsuzo Tanaka	44471/313138	7943
23370 7590 08/06/2008 JOHN S. PRATT, ESQ. KILPATRICK STOCKTON, LLP 1100 PEACHTREE STREET ATLANTA, GA 30309				
EXAMINER				
CHAN, RICHARD				
ART UNIT		PAPER NUMBER		
2618				
MAIL DATE		DELIVERY MODE		
08/06/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/525,593

Applicant(s)

TANAKA, KATSUZO

Examiner

RICHARD CHAN

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 39-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 39-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 39-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stanley (US 2002/006605).

Regarding claim 39 and 40, Stanley discloses a communication apparatus provided on a steering handle of an automobile, comprising: a first set of keys including: **at least** six keys in three rows and two columns on a left side front face of the steering handle(Fig.2 keys 26 and 34-36) ; and at least ten keys on a left side back face of the steering handle (Fig.2a keys 36); and a second set of keys including: at least one input means key on a right side front face of the steering handle (Fig.2 keys 31-33); at least six keys in three rows and two columns including at least two shift keys on the right side front face of the steering handle; and at least ten keys in five rows and two columns on a right side back face of the steering handle; (Fig.2a 39) wherein the at least six keys on the left side front face, the at least ten keys on the left side back face, and the at least ten keys on the right side back face of the steering handle are assigned to at least twenty-six characters. (Paragraph 62)

The keys as disclosed by the Stanley reference do not have the exact configuration with respect to the number or rows and columns as disclosed by the instant application, however it would have been by design choice to set up the exact configuration of the keys in order to best configure for the user of the keypad

It would have been obvious to one of ordinary skill in the art to implement the specific key configuration to the Stanley reference in order to create a specific placement of the alphanumeric keys for the user to use.

Regarding claim 40, Stanley discloses the communication apparatus according to claim 39, wherein the at characters are alphabet letters. (paragraph 48)

3. Claim 39-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stanley (US 2002/006605) in view of St. Pierre et al (US 6,418,362).

Regarding claim 41, Stanley discloses the communication apparatus according to claim 39, however Stanley does not specifically disclose wherein the at least one input means key consist of at least one of the following: joy stick, joy key, cogwheel, or arrow direction key.

The St Pierre reference however discloses wherein a joystick 24 is disposed on a steering wheel. Fig.1

It would have been obvious to one of ordinary skill in the art to implement the joystick disposed on a steering wheel as disclosed by St Pierre to the Stanley steering

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wheel in order to have more user control of operations of the mobile phone steering system.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to RICHARD CHAN whose telephone number is (571)272-0570. The examiner can normally be reached on Mon - Fri (9AM - 5PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on (571)272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Richard Chan/
Examiner, Art Unit 2618

/Nay A. Maung/
Supervisory Patent Examiner, Art
Unit 2618